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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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Alan T Sponseller Blakely Sokoloff Taylor & Zafman LLP 12400 Wilshire Boulevard 7th Floor Los Angeles, CA 90025			SINGH, RACHNA	
			ART UNIT	PAPER NUMBER
			2176	

DATE MAILED: 01/12/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Applicant No.</b>	<b>Applicant(s)</b>
	09/671,555	KUKKAL, PUNEET
	<b>Examiner</b>	<b>Art Unit</b>
	Rachna Singh	2176

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

#### A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 13 October 2004.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 28-56 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 28-56 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) The proposed drawing correction filed on \_\_\_\_\_ is: a) approved b) disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) The oath or declaration is objected to by the Examiner.

#### Priority under 35 U.S.C. §§ 119 and 120

- 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some \* c) None of:
1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) The translation of the foreign language provisional application has been received.
- 15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                  | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____  |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)         | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 6) <input type="checkbox"/> Other: _____                                    |

**DETAILED ACTION**

1. This action is responsive to communications: Amendment filed 10/13/04.
2. Claims 28-55 are pending in the case. Claims 28 and 43 are independent claims.
3. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 10/13/04 has been entered.
4. Claims 43-54 were withdrawn by the Applicant. Until the claims are cancelled, they will be treated on the merits. Applicant is advised to cancel the claims if they do not want them treated on the merits.

***Claim Rejections - 35 USC § 112***

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
6. Claims 28-42 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 28 recites the limitation, "***an information browser operable to selectively ignore attempts to navigate the browser away from said displaying the first data***". This limitation is subsequently followed by the limitation, "***displaying***

***second data fas c nd host system in th information brows r".*** If the information browser is operable to selectively ignore attempts to navigate the browser away from the displaying of the first data, then displaying a second data in the information browser would not be contradictory to the teachings of the previous limitation. Furthermore, the limitation "***receiving a third request operative to navigate the browser away from displaying the first and second data and replace display of the first and second data with display of new data in the information browser wherein the first data persists in the single information browser region after said receiving the third request.***" also contradicts the teachings of the first limitation that indicates the browser is operable to ignore attempts to navigate the browser away from said displaying the first data.

7. Claim 28 recites the limitation "the single information browser region". There is insufficient antecedent basis for this limitation in the claim.

Claims 29-42 fully incorporate the deficiencies cited in reference to claim 28 above.

#### ***Claim Rejections - 35 USC § 103***

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

9. Claims 28-54 are rejected under 35 U.S.C. 103(a) as being unpatentable over W3C, "Implementing HTML Frames", March 1997 in view of LaStrange et al., US Patent 5,784,058, 8/3/99 (Filed parent application on 5/28/96).

In reference to claim 28, W3C's Implementing HTML Frames teaches that frames divide a browser window into two or more document windows, each displaying a different document. Frames are capable of being static or live (multimedia, icons, etc). As a user navigates a site in "live" frames, the contents of the static frames remain fixed, even though the adjoining frames redraw. See page 2. Framesets provide a persistent navigation. For example, a navigation area may be an unchanging page in the left side of the screen which loads new content into the main area. Similarly, the left side of the screen may remain unchanged while the user navigates from page to page on the right side (compare to "***receiving a third request operative to navigate the browser away from displaying the first and second data and replace display of the first and second data with display of new data in the information browser; wherein the first data persists in the single information browser region after said receiving third request.;***").

W3C does not teach that the data comes from two different host systems or the selective ignoring of attempts to navigate the browser away from the displaying of the first data; however, LaStrange does. LaStrange teaches a system in which documents are downloaded from the network and displayed in a separate window of the display. LaStrange's system can receive the first and second request from two different host systems (compare to "***displaying first data of a first host system in an information browser... displaying second data of a second host system in the information***".)

*brows r*"). LaStrange discloses user-controllable persistent browser display pages. A first page for display is selected as to whether or not it is to persist on the display after a second page for display is selected by the browser. If the first page is to persist, a new window is opened in the browser for the second page thus displaying the first and second data simultaneously. See column 1, lines 41-55. LaStrange also teaches a means of using a pushpin to indicate a "sticky page feature" that indicates that the page is not to be replaced and opens a second browser window. See columns 4-6.

Compare to "***operable to selectively ignore attempts to navigate the browser away from said displaying the first data;***". Both W3C frames and LaStrange teach that the first page of information in the first browser window is either selected to "persist" on a display after a second page for display is selected or to open the page. See columns 1-2 of LaStrange. Thus even if a page is "operative to replace" the information, the selection of a page to persist in a computer display device overrides that request. See columns 1-2 of LaStrange and rejections above. It was well known in the art at the time of the invention to utilize frames for displaying information in different windows for the purpose of maintaining persistency within the same browser as taught by W3C thus it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the use of frames to incorporate information from two different host systems as taught by LaStrange since both LaStrange and W3C frames are concerned with maintaining persistency in navigation which prevents the information from being overridden and further because it was desirable at the time of the invention to display information in different regions of a browser while maintaining persistency.

In reference to claim 29, W3C teaches that framesets can be used as a means of maintaining fixed information in one window (compare to "***providing persistency control in the information browser, the persistency control configured to . . . within the information browser***". See page 2. LaStrange teaches a means in which the data is flagged as to whether it should be persistent or not. See column 4, lines 52-7 and column 5, lines 1-35. It would have been obvious to one of ordinary skill in the art to combine the flagging of data that is deemed to be persistent as taught by LaStrange with persistency control as indicated by the use of frames since both LaStrange and frames are concerned with providing persistency in navigation.

In reference to claim 30, frames can be utilized as a means for providing a navigation interface. For example, the static frame can provide an interactive frame in which a table of content with links displays results of the navigation in another frame. See page 2.

In reference to claim 31, it was well known in the art at the time the invention was made to have a browser where the user interface comprised a history button and a search button. See pages 1-2. Both history and search buttons constitute non-link based navigation.

In reference to claim 32, frames are capable of displaying different data sets in different windows within the browser. Upon traversal of one window, the first data can then be viewed with the request for new data.

In reference to claim 33, HTML frames allow different webpages to be represented in various frames. The purpose of frames is to divide a browser window to display different documents or different parts of the same document.

In reference to claim 34, LaStrange discloses a method where a computer device has an information browser having both local and remote resources. The data processing system places a plurality of web pages for access over the network by remote client stations. However, the webpages may also be static webpages already on the client. See figure 1 and column 3, lines 14-35. It would have been obvious to combine LaStrange's method of having both local and remote resources with frames since both are concerned with providing persistency in navigation and reasons stated above in claim 28.

In reference to claim 35, frames provide the user with an interface in which persistent data is displayed in one window and non-persistent data is displayed in another window. See pages 1-2 of W3C.

In reference to claim 36, LaStrange discloses a system in which the information browser consists of a user-interface where the user can determine whether or not to generate the first request. See column 5, lines 57-67. It would have been obvious to combine LaStrange with Frames since both are concerned with providing persistency in navigation.

In reference to claim 37, it was well known in the art at the time the invention was made for an information browser to persistently display a browser history, search utility, and a browser configuration utility. Internet Explorer 4.0 released in April 1997 is an example. See <http://www.microsoft.com/ie/ie40/features/main.htm> and <http://www.blooberry.com/indexdot/history/ie.htm>.

In reference to claim 38, LaStrange discloses a method including user controllable symbols which determine whether the second request for data should be

displayed. See column 6, lines 18-24. It would have been obvious to combine LaStrange with Frames since both are concerned with providing persistency in navigation.

In reference to claim 39, LaStrange discloses a method in which the user determines whether a webpage should be displayed persistently or not in an information browser. See column 6, lines 18-24. It would have been obvious to combine LaStrange with Frames since both are concerned with providing persistency in navigation.

In reference to claim 40, LaStrange discloses a method in which the information browser executes programming instructions in regards to the method described. See column 1, lines 55-60. It would have been obvious to combine LaStrange with Frames since both are concerned with providing persistency in navigation.

In reference to claim 41, it was well known in the art at the time the invention was made to have a browser where the user interface comprised a forward button, backward button, a history button, and a search button. Internet Explorer 4.0 is an example of this released in 1997. See <http://www.microsoft.com/ie/ie40/features/main.htm> and <http://www.blooberry.com/indexdot/history/ie.htm>. As per amended portion of claim 41 “third request is received responsive to an activation” of those buttons, there is no reason why one of ordinary skill in the art at the time of the invention would be limited to requesting those features in a third request for information.

In reference to claim 42, LaStrange discloses a method in which the information browser executes programming instructions in regards to the method described. See column 1, lines 55-60. It would have been obvious to combine LaStrange with Frames since both are concerned with providing persistency in navigation.

In reference to claim 43, W3C's Implementing HTML Frames teaches that frames divide a browser window into two or more document windows, each displaying a different document. Frames are capable of being static or live (multimedia, icons, etc). As a user navigates a site in "live" frames, the contents of the static frames remain fixed, even though the adjoining frames redraw. See page 2. Framesets provide a persistent navigation. For example, a navigation area may be an unchanging page in the left side of the screen which loads new content into the main area. Similarly, the left side of the screen may remain unchanged while the user navigates from page to page on the right side (compare to "**wherein persistence comprises continuing to display said first data after the information browser is directed to display new data to replace the first data.**").

LaStrange teaches a system in which documents are downloaded from the network and displayed in a separate window of the display. LaStrange's system can receive the first and second request from two different host systems (compare to "**receiving a first request identifying first data on a first host system; receiving a second request identifying second data on a second host system**"). LaStrange discloses user-controllable persistent browser display pages. A first page for display is selected as to whether or not it is to persist on the display after a second page for display is selected by the browser. If the first page is to persist, a new window is opened in the browser for the second page thus displaying the first and second data simultaneously. See column 1, lines 41-55. Both W3C frames and LaStrange teach that the first page of information in the first browser window is either selected to "persist" on a display after a second page for display is selected or to open the page. See

columns 1-2 of LaStrange. Thus even if a page is "operative to replace" the information, the selection of a page to persist in a computer display device overrides that request. See columns 1-2 of LaStrange and rejections above. It was well known in the art at the time of the invention to utilize frames for displaying information in different windows for the purpose of maintaining persistency within the same browser as taught by W3C. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the use of frames to incorporate information from two different host systems as taught by LaStrange since both LaStrange and W3C frames are concerned with maintaining persistency in navigation which prevents the information from being overridden.

In reference to claim 44, W3C teaches that framesets can be used as a means of maintaining fixed information in one window (compare to "***providing persistency control in the information browser, the persistency control configured to . . . within the information browser***". See page 2. LaStrange teaches a means in which the data is flagged as to whether it should be persistent or not. See column 4, lines 52-7 and column 5, lines 1-35. It would have been obvious to one of ordinary skill in the art combine the flagging of data that is deemed to be persistent as taught by LaStrange with persistency control as indicated by the use of frames since both LaStrange and frames are concerned with providing persistency in navigation.

In reference to claim 45, upon receiving a request for a third resource, a frame is capable of displaying a third data with the persistent display of the first data within a browser. See page 2 of W3C.

In reference to claim 46, W3C teaches that a request can correspond to navigation of the information browser. For instance, a user can browse from one webpage to another. See pages 1-2.

In reference to claim 47, HTML frames allow different webpages to be represented in various frames. The purpose of frames is to divide a browser window to display different documents or different parts of the same document. Thus receiving a request for a first or second webpage would have been obvious to one of ordinary skill in the art at the time of the invention.

Claim 48 is rejected using the same rationale used in claim 35 above.

Claim 49 is rejected using the same rationale used in claim 36 above.

Claim 50 is rejected using the same rationale used in claim 37 above.

Claim 51 is rejected using the same rationale used in claim 38 above.

Claim 52 is rejected using the same rationale used in claim 39 above.

In reference to claim 53, LaStrange discloses a computer storage medium containing a computer program of instructions for carrying out the steps of persistency control associated with the first and second data. See column 1, lines 41-60.

Claim 54 rejected under the same rationale used in claim 53 above.

In reference to claim 55, W3C's Implementing HTML Frames teaches that frames divide a browser window into two or more document windows, each displaying a different document. Frames are capable of being static or live (multimedia, icons, etc). As a user navigates a site in "live" frames, the contents of the static frames remain fixed, even though the adjoining frames redraw. See page 2. Framesets provide a persistent navigation. For example, a navigation area may be an unchanging page in

the left side of the screen which loads new content into the main area. Similarly, the left side of the screen may remain unchanged while the user navigates from page to page on the right side.

In reference to claim 56, as a user navigates a site in "live" frames, the contents of the static frames remain fixed, even though the adjoining frames redraw. See page 2. Framesets provide a persistent navigation. For example, a navigation area may be an unchanging page in the left side of the screen which loads new content into the main area. Similarly, the left side of the screen may remain unchanged while the user navigates from page to page on the right side

#### ***Response to Arguments***

10. Applicant's arguments have been considered but are not persuasive.

In view of Applicant's amendments please note the following: Claim 28 recites the limitation, "***an information browser operable to selectively ignore attempts to navigate the browser away from said displaying the first data***". This limitation is subsequently followed by the limitation, "***displaying second data of a second host system in the information browser***". If the information browser is operable to selectively ignore attempts to navigate the browser away from the displaying of the first data, then displaying a second data in the information browser would not be contradictory to the teachings of the previous limitation. Furthermore, the limitation "***receiving a third request operative to navigate the browser away from displaying the first and second data and replace display of the first and second data with display of new data in the information browser when the first data persists in the single information browser region after said receiving the third request.***" also

contradicts the teachings of the first limitation that indicates the browser is operable to ignore attempts to navigate the browser away from said displaying the first data.

Applicant argues that when an information browser is navigated away from a current web page or other data display, such navigation ordinarily results in the browser destroying its currently displayed contents. Applicant argues that these features are not taught by W3C or LaStrange. Examiner respectfully disagrees because W3C teaches that frames divide a browser window into two or more document windows, each displaying a different document. Frames are capable of being static or live (multimedia, icons, etc). As a user navigates a site in "live" frames, the contents of the static frames remain fixed, even though the adjoining frames redraw. See page 2. Framesets provide a persistent navigation. For example, a navigation area may be an unchanging page in the left side of the screen which loads new content into the main area. Similarly, the left side of the screen may remain unchanged while the user navigates from page to page on the right side. Moreover, the Applicant's added limitation reciting, "***an information browser operable to selectively ignore attempts to navigate the browser away from said displaying data***" does not take into account LaStrange's teachings of user-controllable persistent browser display pages. A first page for display is selected as to whether or not it is to persist on the display after a second page for display is selected by the browser. If the first page is to persist, a new window is opened in the browser for the second page thus displaying the first and second data simultaneously. See column 1, lines 41-55. LaStrange also teaches a means of using a pushpin to indicate a "sticky page feature" that indicates that the page is not to be replaced and opens a second browser window. See columns 4-6.

In view of the comments and rejections above, Examiner's position is maintained.

***Conclusion***

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rachna Singh whose telephone number is 571-272-4099. The examiner can normally be reached on M-F (8:30AM-6PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Feild can be reached on 571-272-4090.

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